

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEPHANIE KUZY	:	CIVIL ACTION
	:	
v.	:	
	:	
THE GREAT PANJANDRUM	:	
INCORPORATED t/a CEDARS PUB	:	NO. 08-cv-05278-JF

MEMORANDUM

Fullam, Sr. J.

January 11, 2010

Plaintiff brought this action to recover damages for sexual harassment in violation of Title VII. Plaintiff was employed at a bar, and the principal harassment occurred in connection with a social occasion at the bar. Plaintiff resigned her position in protest.

After a two-day trial, the jury awarded plaintiff \$9,450 in damages. Plaintiff's counsel now seeks counsel fees totaling \$16,632, plus record costs of \$453.

The application for counsel fees seeks compensation for 44.2 hours of work, at \$315 per hour. The defendant contends that the hours should be reduced by 9.7 hours, and that the request for expenses (\$453) should be reduced by \$60. I agree. The 9.7 hours can properly be regarded as not necessary to the prosecution of this litigation, and the \$60 item relates to the unsuccessful attempt to serve a subpoena, in a case in which no witnesses were presented at trial, other than plaintiff herself.

The remaining issue is the proper hourly rate. Plaintiff relies upon a survey of customary rates in the Philadelphia legal community, for lawyers with his years of experience, and seeks compensation at the top of the alleged range. In the circumstances of this case, given the rather perfunctory nature of the evidence presented, and the extremely modest outcome, I conclude that \$200 per hour would be the appropriate rate to allow. Plaintiff will be awarded counsel fees in the sum of \$6,900, plus reimbursement of record costs in the sum of \$393. Thus, given the damages award by the jury, the total judgment will be \$16,743.

An Order follows.

BY THE COURT:

/s/ John P. Fullam
John P. Fullam, Sr. J.